

REMARKS

Claims 4-6 have been amended to include a computer readable storage medium to clearly indicate that the invention is not drawn to a program per se. Thus, reconsideration and withdrawal of the 35 USC 101 rejections of claims 4-6 is requested.

It appears that claims 1-9 have been rejected under 35 USC 102(e) in paragraph 3 of the office action. However, no reasoning or support is provided for a 35 USC 102(e) rejection since paragraph 4 of the office action recites a rejection based on 35 USC 103(a). In either case, applicant believes the Examiner has misapplied the cited reference under either a 102(e) or 103(a) standard. As such applicant's remarks are intended to address both standards.

The reference cited by the Examiner comprises selected excerpts from the GSM technical standard as maintained by the European Telecommunications Standards Institute (ETSI).

The present invention is directed toward a solution for a specific problem or scenario that can arise in the operation of a portable mobile communications device (e.g., mobile phone or mobile station (MS)) under the parameters of the GSM technical standard. The specific problem addressed by the present invention, however, is not addressed by the technical standard document. The problem addressed by the present invention involves re-attaching a mobile station to a GPRS or EDGE network following the receipt of a network detach receipt in which the network detach request includes a detach type parameter of "re-attach not required" AND a detach cause that is null. Null means that the detach cause parameter is not specifically enumerated in the GSM technical specification.

The Examiner has parsed the GSM technical specification to draw attention to the "Detailed Description of the MS Behaviour in State GMM-DEREGISTERED" of section 4.2.4.2 and the "Network Initiated GPRS Detach Procedure" of section 4.7.4.2.2. The Examiner has merely followed the GSM technical specification faithfully to describe what happens under certain circumstances. The present invention, however, describes and claims a scenario that is not enumerated in the GSM technical specification.

The key difference is that the Examiner's citations show how a mobile station will automatically attempt to re-attach when the detach type parameter is set to re-attach required while the present invention describes and claims how a mobile station will automatically attempt to re-attach when the detach type parameter is set to re-attach not required. As the pa-

parameter name suggests, re-attach not required implies that an automatic GPRS re-attach will not take place. That is why the GSM technical specification is silent with respect to the procedures described and claimed by the present invention.

Pursuant to the GSM technical specification, when the detach type parameter is set to re-attach not required there are specific guidelines that govern the behaviour of the mobile station. These guidelines are based on the detach cause parameter (received cause code) and are explicitly set out on pages 115-117 of the GSM technical specification. Of particular note is the statement in the GSM technical specification on page 117 that states, "Other cause values shall not impact the update status. Further actions of the MS are implementation dependent."

The present invention is precisely an implementation based on other causes. The concept behind the present invention is that the network erroneously sent the network detach request or experienced a condition that was not able to be processed under the GSM technical specification leading to the network detach request of the type described by the present invention. In such a scenario the mobile station will attempt to re-attach to the GPRS network in the absence of specific instructions not to. Since the scenario described and claimed does not fall within the scope of the GSM technical specification, an automatic GPRS re-attach can be attempted.


The Applicants believe they have responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

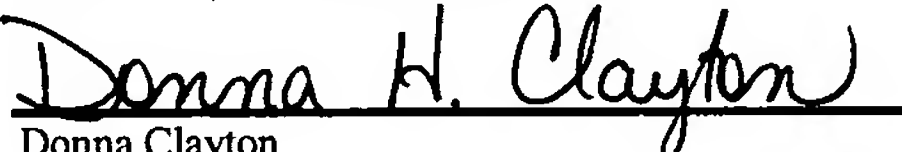
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I hereby certify that this correspondence is being deposited with the US Postal Service as first class mail on December 1, 2005, in an envelope addressed to Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450

  
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